

HOUSE BILL No. 2097

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-39.

Synopsis: Plumber and well driller continuing education. Requires a plumber and an apprentice plumber to have a water well and pump installation contractor license to install or repair water well pumps or water well pumping equipment. Provides that a water well and pump installation contractor and a well driller must complete eight hours of continuing education each year. Provides procedures for renewing a delinquent license. Establishes procedures for the department of natural resources to approve continuing education courses. Provides that the department of natural resources may not approve a continuing education course that is located or offered in a state other than Indiana.

Effective: January 1, 2002.

Klinker, Scholer, Lytle, Denbo

January 17, 2001, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 2097

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-39-1.5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) A plumber
3 licensed under IC 25-28.5 must register with the department before the
4 plumber installs a well.

5 (b) A person may not install or repair water well pumps or
6 water well pumping equipment unless the person is licensed as a
7 water well and pump installation contractor. The department shall
8 issue a water well and pump installation contractor license to a
9 person who is:

10 (1) a plumber licensed under IC 25-28.5; or
11 (2) an apprentice plumber (as defined by IC 25-28.5-1-2(11))
12 who works for a licensed plumber who is registered with the
13 department.

14 A licensee under this subsection must meet the continuing
15 education requirements under IC 25-39-6 to renew a license.

16 SECTION 2. IC 25-39-2-12 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 12. "License"

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refers to a water well driller's license **or a water well and pump installation contractor license** issued by the department under this chapter.

SECTION 3. IC 25-39-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. (a) An application for a license must be made on a form prescribed by the commission in rules adopted under IC 4-22-2. The purpose of the form is to identify the applicant and obtain information to determine if the applicant is qualified to be licensed.

(b) An application for an original license or a license renewal must be accompanied by a license fee of one hundred dollars (\$100).

(c) **Unless an applicant has held an original license for less than one (1) year, a license renewal application must be accompanied by:**

- (1) a copy of the continuing education verification of attendance forms; and
- (2) a statement by the applicant attesting that the applicant has complied with the continuing education requirements under IC 25-39-6.

SECTION 4. IC 25-39-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) **This section does not apply to a license that has been revoked or suspended.**

(b) **The holder of a license that was issued by the department that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:**

- (1) Submission of the holder's completed renewal application.
- (2) Payment of all the lapsed renewal fees.
- (3) Payment of a reinstatement fee established by the department.
- (4) **The holder shall take eight (8) hours of continuing education during the previous twelve (12) months and provide the department with a copy of the continuing education verification of attendance forms.**

(c) **The license of a holder of a license that was issued by the department that is more than three (3) years delinquent may not be renewed, and the holder must reapply for an original license.**

SECTION 5. IC 25-39-6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]:

Chapter 6. Continuing Education

Sec. 1. Except as provided in section 6 of this chapter, a license

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holder who has held a license for not less than one (1) calendar year shall complete eight (8) actual hours of continuing education before the end of each license renewal period.

Sec. 2. For each continuing education course attended, a licensed well driller shall retain:

- (1) a record of the number of hours spent in the continuing education course;
- (2) the name of the person or organization presenting the continuing education course;
- (3) the date, location, and title of the continuing education course;
- (4) the number of hours of continuing education received; and
- (5) verification of attendance;

for three (3) years.

Sec. 3. (a) An institution, organization, governmental agency, or individual that wishes to offer continuing education courses must apply in writing to the department for approval of each course. The application must be received by the department not less than thirty (30) days before the course is offered. The department shall approve or deny an application for a continuing education course not more than ten (10) business days after receiving the application.

(b) The application must include the following information:

- (1) The title of the course and subjects that will be presented.
- (2) The name of the person or organization presenting the continuing education course.
- (3) The date, location, and title of the continuing education course.
- (4) The number of hours of continuing education to be offered.
- (5) Course outlines for the subjects to be offered.
- (6) The fee to be charged for each course.
- (7) Any other information requested by the department.

(c) The department may approve an application to offer a continuing education course that addresses one (1) of the following topics:

- (1) Water well construction and pump installation.
- (2) Grouting.
- (3) Water sample collection and sampling.
- (4) Contamination of water supplies.
- (5) Other topics the department determines is relevant for the continued improvement of knowledge of a license holder.

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1 (d) The department may not approve a continuing education
2 course that is located or offered in a state other than Indiana.

3 Sec. 4. An institution, an organization, a governmental agency,
4 or an individual that has been approved to offer a continuing
5 education course shall submit to the department not more than
6 forty-five (45) days after the course has been completed a typed
7 listing of the following information:

8 (1) The names of each individual who attended the course,
9 including each individual's license number.

10 (2) The title of the course.

11 (3) The name of the person or organization presenting the
12 continuing education course.

13 (4) The date, location, and title of the continuing education
14 course.

15 (5) The number of hours of continuing education the
16 individual received.

17 Sec. 5. The department shall maintain and make available to the
18 public a list of future continuing education courses.

19 Sec. 6. A licensed water well driller may apply in writing to the
20 department for a waiver or modification of the continuing
21 education requirements if the licensee:

22 (1) establishes that an emergency existed during the period for
23 which the continuing education was required;

24 (2) has had an incapacitating illness verified by the applicant
25 and a licensed physician; or

26 (3) was prevented from completing the continuing education
27 requirement because of active military duty during the period
28 for which the continuing education was required.

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